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G.1136

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,
4th FLOOR, IMDADAGHAR, Opp: KALESWARAO MARKET, VIJAYAWADA.**

F.No.56 / M / KNL / 2013 / Z - IV.

Date: 17-10-2022.

KURNOOL MANDAL & DISTRICT - MOSQUE AND ITS ATTACHED PROPERTIES
SITUATED AT PUDUR VILLAGE - Sri SYED CHAND BASHA, S/o Late SYED
GHOUSE PEER RECOGNIZED AS MUTAWALLI U/Sec.42 OF THE WAQF
ACT, 1995 IN PLACE OF HIS FATHER Late SYED GHOUSE PEER.

Read : 1. Report of the I.A.Waqfs, Kurnool District, vide Lr.No.13/Waqfs/KNL
/Pudur/ 2022, dated:16-02-2022.

2. This Office Notification, dated:12-08-2022

3. This office U.O Note to Protection Section, dated.12-08-2022.

4. Report of the I.A.Waqfs, Kurnool District, vide Lr.No.13/Waqfs/KNL
/Pudur/ 2022, dated:02-08-2022 along with paper notification publication
in Andhra Jyothi Telugu daily District edition of Kurnool, Dt.23-08-2022

5. Board's Resolution No.457 of 2022, dated:11-10-2022.

6. Orders of the Hon'ble Chairperson, APSWB, dated.14-10-2022.

ORDER:

The Waqf institutions namely Mosque situated at Pudur Village, Kurnool Mandal & District is a notified Waqf and got published in AP Gazette No.43-A, Part-II, Dated: 24-10-1963 at serial No.3062 in page No.22 & 23. The said institution is having attached landed property in Sy.No.21/2 to an extent of Ac.14.18 cts, Sy.No.29 to an extent of Ac.22.60 cts, Sy.No.53 to an extent of Ac.14.64 cts and Sy.No.77/A to an extent of Ac. 25.65 cts, Sy.No.77/B to an extent of Ac.3.56 cts, Sy.No.120/A to an extent of Ac.13.52 cts, Sy.No.129 to an extent of Ac.1.80 cts, Sy.No.157/2 to an extent of Ac.3.12 cts, Sy.No. 162 to an extent of Ac.35.60 cts, Sy.No.224 to an extent of Ac.0.53 cts and Sy.No.193/B to an extent of Ac.5.88 total to an extent of Ac.141-07 cts of Pudur Village under the Towliath of 1.Syed Ghouse Peer and 2.Mulla Fathima Bi. The Rule of succession to the office of the Mutawalli specified as Hereditary by custom.

In the ref. 1st read above, the Inspector Auditor Waqfs, Kurnool District has submitted a report along with representation of Sri.Syed Chand Basha, S/o.late Syed Ghouse Peer, R/o. Pudur Village of Kurnool Mandal & District that the applicant Sri.Syed Chand Basha is legal heir and he is the son of the Gazette notified Mutawalli (i.e. Syed Ghouse Peer) and he is managing the Masjid and its affairs by collecting donations and local subscriptions. The entire attached properties to an extent of Ac.141-07 cts of Pudur Village are under the illegal occupation of third parties.

Further, the I.A. Waqfs, Kurnool District has stated that there is no Waqf fund collection from Masjid as Masjid was no income and the Masjid is maintaining with donations and subscriptions. The I.A Waqfs, Kurnool District submitted Death Certificate and family member Certificate of Sri.Syed Ghouse Peer and NOC from the family members. Finally the Inspector Auditor Waqfs, Kurnool District has recommended the candidature of the applicant for recognition of Mutawalli and recovery of its attached property.

As the further course of action, this office has issued paper notification for calling claims and objections if any for recognition of Sri.Syed Chand Basha, S/o.late Syed Ghouse Peer as Mutawalli U/sec.42 of Waqf Act, 1995 to the subject Waqf institution and its attached properties may file their claims and objection within a period of (15) days from the date of Publication of this Notification with documentary evidence in the ref.2nd read above.

The Inspector Auditor Waqf, Kurnool District has submitted report in the ref. ref.4th read above that the above said paper notification was published in Andhra Jyothi Telugu daily District edition of Kurnool on 22-08-2022 and there were no claims & objections received against the said notification.

The subject matter was placed before the Board and the Board has passed resolution No.457 of 2022, dated.11-10-2022 in the ref.5th read above to recognize Sri.Syed Chand Basha, S/o. late Syed Ghouse Peer as Mutawalli U/sec.42 of Waqf Act, 1995 in place of his father late Syed Ghouse Peer to Mosque and its attached properties situated at Pudur (V), Kurnool Mandal and District.

It is further resolved to obtain the status of attached lands Ac.141.07 cts of Pudur Village from the Inspector Auditor Concerned.

Further, resolved the appointed Mutawalli has to take care of the attached properties of the Waqf institution and take legal action for recovery of the notified Waqf properties with the assistance of Inspector Auditor Concerned.

Accordingly, Sri.Syed Chand Basha, S/o.late Syed Ghouse Peer is hereby recognized as Mutawalli in place of his father late Syed Ghouse Peer to Mosque and its attached properties situated at Pudur (V), Kurnool Mandal and District U/sec.42 of Waqf Act,1995 for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules and to take care of the attached properties of the Waqf institution and take legal action for recovery of the notified Waqf properties with the assistance of Inspector Auditor Concerned.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To
Sri.Syed Chand Basha, S/o. late Syed Ghouse Peer,
Mutawalli of Mosque at Pudur Village,
Kurnool Mandal & District.

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